

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

RETRACTABLE TECHNOLOGIES, INC.

Plaintiff,

vs.

**OCCUPATIONAL & MEDICAL
INNOVATIONS, LTD.**

Defendant.

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CASE NO. 6:08 CV 120

FINAL JUDGMENT AND PERMANENT INJUNCTION

Pursuant to Rule 58 of the Federal Rules of Civil Procedure and in accordance with the jury verdict delivered on December 18, 2009, the Court hereby enters judgment for Plaintiff Retractable Technologies, Inc. (“Retractable”) against Occupational & Medical Innovations, Ltd. (“OMI”) for misappropriation of Retractable’s trade secrets and for infringement of U.S. Patent No. 6,572,584, claims 1, 2, 7, 18, 19, and 24.

IT IS THEREFORE ORDERED that Retractable shall have and recover from OMI damages based upon OMI’s misappropriation of Retractable’s trade secrets for the sum of \$2,990,098.00 (which is the sum found by the jury plus damages based on OMI’s sales since July 2009), with prejudgment interest at 5 percent simple in the amount of \$163,477.00 for a total amount of \$3,153,575.00. These amounts shall bear interest from time of judgment as provided for by 28 U.S.C. § 1961.

IT IS FURTHER ORDERED that OMI shall take nothing by its counterclaims for

declaratory judgment of non-infringement, invalidity, and inequitable conduct.

IT IS FURTHER ORDERED that, effective at 12:00 p.m. noon Central Standard Time on March 4, 2010, OMI, its subsidiaries, officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with any or all of them, including all manufacturers, distributors, and service providers who have been involved in the making, selling, offering for sale, or importing of the OMI syringes, or any other infringing product, who receive actual notice of this Order, are hereby permanently enjoined from infringing, directly or otherwise, Claims 1, 2, 7, 18, 19, and 24 of Patent No. 6,572,584 (the '584 Patent) until the expiration of that patent, by making, using, importing, selling, and/or offering to sell any of its syringes in the United States and its territories, or having anyone else do so on its behalf, including without limitation OMI's 0.5 mL, 1 mL, 3mL, 5mL, or 10mL Syringes or any other product(s) not more than colorably different from the said infringing syringes.

OMI has 30 days from today's date to submit any papers seeking credit for any products that are already in Cardinal's possession that were delivered prior to the date of the jury verdict and are covered by the damages amount. Retractable will file a proper response, then the Court will consider a credit.

OMI shall file written notice of this Order and the Injunction ordered to its officers, directors, agents, servants, representatives, employees, attorneys, subsidiaries and affiliates, and those persons in active concert or participation with them, including all manufacturers, distributors, and service providers who have been involved in making, selling, offering for sale, or importing of the OMI syringes, or any other infringing product; and to all other persons or entities involved in any way

with the making, selling, offering for sale, or importing of the above-referenced infringing products.

The Injunction will run until the expiration of the '584 Patent.

This Court will retain jurisdiction over OMI to enforce all aspects of the Judgment and Injunction and credit issue, and retain jurisdiction over Retractable and OMI to award costs and other further relief as may be just and proper.

The Court denies all other relief not specifically granted.

The Court's Order is a Final Judgment and is appealable.

So ORDERED and SIGNED this 4th day of March, 2010.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**